State of Rhode Island and Providence Plantations

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Peter F. Kilmartin, Attorney General

VIA EMAIL ONLY

December 12, 2016
PR 16-52

William Nye

RE: Nye v. Rhode Island State Court System
Nye v. Rhode Island State Court System

Dear Mr. Nye:

The investigation into your Access to Public Records Act ("APRA") complaints against the Rhode Island State Court System ("RISCS") filed on July 18, 2015 and April 4, 2016 are complete.

On June 17, 2015, you made an APRA request to the RISCS seeking, in pertinent part:

> "The document which reports the trouble-ticket number and issue description, and any related information, for a 'computer issue', described in the following sentence. I recently reported to [] the Kent County clerk [] that blacked-out areas and black rectangles are erroneously displayed on certain documents when viewed on the public access computer terminals. She took smart-phone photos, and told me the problem has been reported to JTECH, but would not give me the ticket number."

The RISCS timely responded on June 26, 2015, denying your request as follows, in relevant part:

> "Please be advised that our Judicial Technology Center (JTECH) helpdesk tracking system is an electronic logging system which does not generate documents. When a court user calls or emails our helpdesk@courts.ri.gov address it creates a virtual ticket in our electronic system so we can assign and track the issue until resolved. While I can provide you with the 'ticket' number, which is #36731, there is no 'document' associated with the electronic computer log. As a result, we are unable to comply with your request for a document.
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> I was able to find out some additional information, however, that may be useful to you. Our Judicial Technology Center upgraded our new case management system on May 22, 2015. An error was reported shortly thereafter that was causing the

> blackening of certain documents. It took over a week to identify and resolve the issue. A fix was installed on June 13 but in the interim some documents displayed at the terminal were not fully visible at the public computer terminals that we have in each courthouse. JTECH is in the process of upgrading the display drivers on these terminals to correct the problem."

You appealed this decision to the State Court Administrator on June 29, 2015.[1] The State Court Administrator denied your appeal on July 10, 2015.

On July 18, 2015, you filed the instant Complaint, alleging that the RISCS violated the APRA when it denied your June 17, 2015 request. Specifically, you questioned "the veracity and correctness of the [RISCS's] review" of your APRA request.

In response to your Complaint, this Department received a substantive response from the RISCS. The response stated, in relevant part:

> "Importantly, in the Court's first response dated June 26, 2015, [the RISCS] provided Mr. Nye with the information he was requesting, namely, the ticket number (36731), the issue description 'the blackening of certain documents,' as well as 'any related information' which included a narrative of the travel of the error reporting, the action our Judicial Technology Center (JTC) undertook to resolve the issue, and the resulting resolution via an upgrade in the display drivers. The Court also explained that the helpdesk tracking system is an electronic logging system that doesn't generate a document; in this regard, the use of the word 'ticket' is somewhat of a misnomer. In actuality, the 'ticket' creates an electronic task in an electronic cue. As a result, our [JTC] would have to create a 'document' either via screen shot or by creating a separate work order document in order to produce a document responsive to Mr. Nye's request.
>
> Section [] 38-2-3(h) does not require a public body to 'reorganize, consolidate or compile data not maintained by the public body in the form requested' unless providing such information would be unduly burdensome. Even assuming arguendo for a moment that this information could be considered a 'public record,' it would be onerous and highly inefficient for any public entity to operate in such a manner that it may have to anticipate a future request for screenshots of all its internal communications and to compile separate work orders for the vast volume of trouble ticket inquires received and responded to by our [JTC]. This is particularly difficult in the wake of the massive transition to a new case management system and from a paper filing system to an electronic filing system

[1] We note that the State Court Administrator is apparently the designated chief administrative officer of the RISCS for APRA purposes, as you seemingly acknowledged by sending your appeal to the State Court Administrator and not to the Chief Justice of the Supreme Court.

> state wide, resulting in hundreds of trouble ticket issues and inquiries handled by JTC at any given point.
> ***
> In addition, and notwithstanding, the [RISCS] maintain[s] that this electronic information (whether via a screenshot or other format) is exempt under a number of specific provisions of APRA. First, in accordance with G.L. § 38-2-2(4), the electronic communication from one employee to another employee at our [JTC] Help Desk does not constitute a 'public record' . . . made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.' The Help Desk electronic tracking log does not reflect the transaction of official business by the [RISCS], nor does it shed any light on the [RISCS's] performance of its statutory duties. There is simply no public interest in determining how an employee reported a technical problem and what steps the [JTC] staff person took to respond to an incompatible computer monitor driver.
> Section 38-2-2(K) also exempts 'preliminary drafts, notes, impressions, memoranda, working papers and work products . . . .' The communications made by the clerk's office employee to a fellow employee at JTC constitutes an intra-agency communication, note, impression and/or internal memoranda or working paper which is commonly regarded as exempt from open government information requests. The very nature of the helpdesk communication is predecisional and deliberative and reflects the mental process, thoughts, impressions and opinion on a tech[nical] problem of both the reporting employee as well as the responding JTC staff person who was tasked with troubleshooting and finding a potential resolution. It is the electronic version of a phone call or an internal memorandum to a co-worker that identifies a potential operating problem and seeks an opinion or proposed solution. *See, Judicial Watch, Inc. v. U.S. Department of Homeland Security*, 736 F. Supp. 2d 202, 208 (D.D.C. 2010); *Gosen v. United State Citizenship and Immigration Services*, F. Supp. 3d [(]D.D.C. 2014). These internal communications between staff members can be characterized as internal assessments that reflect the deliberative process and which squarely fall within the exemption contained in § 38-2-2(K) and (E).
>
> Lastly, unlike [the] executive branch, municipal[ities], and other public bodies, APRA's application to the Judiciary is of a limited nature. Its provisions apply to the state courts only with respect to our 'administrative function.' As a result, information relating to our case management system procedures and the files contained therein [are] not included within the narrow ambit of § 38-2-2(4)(T)."

You filed a similar second APRA request to the RISCS on October 20, 2015, requesting, in pertinent part:

> "The document which reports the trouble-ticket number and issue description, and any related information, for a 'serious EFS issue' described in the following sentence. On Sept[.] 2, 2015, [] the Kent County clerk [] told me a certain order

> displayed as signed (by the judge and the clerk) on her office computer terminal, but unsigned on the public terminal."

The RISCS timely responded on October 28, 2015, denying your APRA request as follows, in relevant part:

> "As has been explained to you previously [], our Judicial Technology Center (JTECH) helpdesk tracking system is an electronic task system which does not generate documents. When a court user calls or emails our helpdesk@courts.ri.gov address it creates a virtual task in our electronic system so we can assign and track the issue until resolved. While I can provide you with the 'ticket'/work order number, which is #38654, there is no 'document' associated with the electronic computer log. It appears instead that you are once again looking for 'a reliable description of the underlying cause' of a computer technology issue. Your repeated inquiries clearly seek answers or an explanation (that are not reflected in 'documents'). In this instance the explanation is that the JTECH department needed to install a different document viewer on the public workstations in order for signatures on documents to be viewable. We are pleased to report that as of September 18, 2015, when the new document viewer was installed on the public monitors, signatures on all documents are visible on the public monitors at the Noel Judicial Complex.
>
> Even if a work order could be generated from this Help Desk incident that contained the information you are seeking, the electronic work order content is not considered a public record and is exempt under [the] APRA for a number of reasons. This internal electronic communication constitutes a note, impression and/or internal memoranda or working paper exempt under § 38-2-2(4)(K); is considered an intra-agency communication which is generally exempt under federal and state Freedom of Information Act cases as contemplated by § 38-2-2(4)(S), and it does not constitute a 'public record . . . made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.' Lastly, the virtual task function does not reflect official information that would shed any light on the [RISCS's] performance of its statutory duties. As a result, we are unable to comply with your request.
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> I hope this information is helpful and thank you for your request. If you wish to dispute the denial of your request for documents, you may file a written appeal with the State Court Administrator pursuant to § 38-2-8."

You filed an appeal with the State Court Administrator on October 29, 2015. On November 16, 2015, the State Court Administrator provided written notice to you that, due to the high volume of emails he received and his absence out of state for a period, he was acknowledging receipt of the appeal as of November 16, 2015. On November 25, 2015, the State Court Administrator issued his decision denying your appeal.

You filed the instant Complaint on April 4, 2016, alleging that the RISCS violated the APRA by failing to provide any of the requested documents and by not responding to your appeal within ten business days.

The RISCS filed a substantive response, which stated, in pertinent part:

> "On the evening of Thursday, October 29, 2015, Mr. Nye appears to have sent an appeal of [the RISCS's] denial to [] [the] State Court Administrator via email. Notably, the appeal was sent only to [the State Court Administrator's] email address; [] the Judiciary's primary point of contact for APRA requests[] was not copied on the email. Even assuming arguendo, that the email was received the next morning in [the State Court Administrator's] email inbox at start of business on Friday, October 30, 2015, the ten (10) business day period would end on Monday, November 16, 2015 in light of the Veteran[s] Day holiday on November 11.
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> [The State Court Administrator] was out of state from November 8, 2015 through November 10, 2015. November 11th was a state holiday. The morning of November 16, 2015, Mr. Nye called [the State Court Administrator's] office inquiring as to why he had not yet received a response to his appeal. [The State Court Administrator] responded to Mr. Nye via email that same day to indicate he was not aware that an appeal via email had been sent to him and that a formal response would be forthcoming. [] [The State Court Administrator] was again out of the office and out of state from November 17, 2015 through Friday, November 20, 2015. Upon his return to the office on Monday, November 23, 2015, a thorough review of the appeal was undertaken and a formal response was prepared and sent to Mr. Nye within forty-eight (48) hours of his return to the office on Wednesday, November 25, 2016. ***
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> The delay in responding to Mr. Nye's appeal was a matter of pure oversight, and was neither willful, nor deliberate, knowing, or reckless. In addition, there was no harm or detriment incurred by Mr. Nye as a result of the delay. In fact, Mr. Nye waited over four (4) months to file the instant complaint with your department.
> ***
> As has been explained previously in the course of our response to Mr. Nye's prior complaint, the Odyssey helpdesk tracking system is an electronic logging system that doesn't generate a paper document; but rather an electronic task in an electronic cue. The explanation that was provided to Mr. Nye about the cause of the monitor display error was the opinion of our technology staff members based on their technical expertise. *** Our technical staff is able to diagnose computer issues based on circumstance, visual observation, verbal description and otherwise. It is not necessary nor is it required for there to be a paper document that states a user's computer software is nonfunctional in order for our tech[nical] staff to surmise that the software is nonfunctional and may require an update.

> As a result, our Judicial Technology Center would have to create 'documents' either via screen shot or by creating a separate work order documents in order to produce a document response to Mr. Nye's request. Section [] 38-2-3(h) does not require a public body to 'reorganize, consolidate or compile data not maintained by the public body in the form requested' unless providing such information would be unduly burdensome. Even assuming arguendo that this information could be considered a 'public record,' it would be onerous and highly inefficient for the [RISCS] to operate in such a manner that it may have to anticipate a future request for screenshots of all its internal communications and to compile separate work orders for the vast volume of Help Desk requests received and responded to by our Judicial Technology Center. ***
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> In addition, and notwithstanding, the Courts maintain that this electronic information (whether via a screenshot or other format) is exempt under a number of specific provisions of APRA. ***"

The substantive response also included an affidavit from the State Court Administrator.

We acknowledge your rebuttal.

During the pendency of these matters, on October 24, 2016, this Department was copied on an email correspondence sent to you by the RISCS. The correspondence stated, in pertinent part:

> "The Office of General Counsel recently conducted a review and re-evaluation of your requests for electronic Help Desk data maintained by the Judicial Technology Center. The Judiciary maintains that the material you seek does not fall under APRA and that even if it did, the material would not be subject to disclosure pursuant to a number of statutory and common-law exceptions. Notwithstanding the foregoing, and without waiving its position as to these exceptions, the Judicial Technology Department has compiled the requested Help Desk data you requested and is providing it herewith.
>
> Attached please find seven (7) pages of material responsive to your request for the 'trouble-ticket number and issue description' for public access terminal display issues you encountered at the Superior Court Clerk's Office in the Kent County Courthouse on June 9, 2015 and September 2, 2015. The attached material contains two (2) Work Orders (#367[3]1 and #38654) as well as three (3) pages of photographs taken by [the] Kent County Superior Court Clerk [], which reflect the first public access terminal display issue you encountered. Please note that these attachments constitute all of the Judiciary's responsive material pertaining to your requests . . . ."[2]

[2] As acknowledged in your supplemental rebuttal, this Department's procedures generally prohibit any additional responses from either party after the rebuttal has been filed, without leave from this Department. Although the RISCS did not seek leave for its October 24, 2016 correspondence, it

You filed a supplemental rebuttal on November 3, 2016.[3] Your supplemental rebuttal states, in pertinent part:

> "6. The newly disclosed records contained in the Oct[.] 24 communication are incomplete and conflicted.
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> I allege this is evidence responsive records are being wrongly withheld, or that records are being fabricated. The conflicts are technically significant. The agency's initial denial of my **first** request (email from [the Assistant State Court Administrator], Jun[e] 26, 2015) states this, in part:
>
> > '*** *A fix was installed on June 13 but in the interim some documents displayed at the terminal were not fully visible at the public computer terminals that we have in each courthouse. JTECH is in the process of upgrading the display drivers on these terminals to correct the problem.*'
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> [The Assistant State Court Administrator] states '*upgrading the display drivers*' was the solution to the issue I reported, as well as an issue previously reported. [This] account conflicts with the disclosed records. The narratives by various personnel are not consistent with [the Assistant State Court Administrator's] statement. The disclosed records do not show the phrase 'display driver' anywhere. The agency [RISCS] also told the AG the problem was an '*incompatible computer monitor driver*' and the resolution was an '*upgrade in the display drivers*[.]' [] These statements are not reflected in the disclosed records. Instead, the disclosed records report the solution as an '*upgrade of the FireFox software*[.]' []
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> The agency's [RISCS] initial denial of my **second** request [] states this, in part:
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> > '*In this instance the explanation is that the JTECH department needed to install a different document viewer on the public workstations in order for signatures on documents to be viewable. We are pleased to report that as*

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is questionable whether such leave was required because this correspondence was sent to you and only copied to this Department. In any event, given the content of this correspondence—advising this Department that the RISCS had provided you access to the documents at issue—we certainly would have granted leave so that this Department was informed of this relevant and recent development. As further described herein, you were permitted an opportunity to respond to the October 24, 2016 correspondence.

[3] To the extent that your supplemental rebuttal alleges violations of statutes other than the APRA, such allegations will not be addressed as this finding is limited to your alleged violations of the APRA consistent with our jurisdiction and the APRA. See, e.g., McQuade v. Rhode Island State Police, PR 13-03; see also R.I. Gen. Laws § 38-2-8(b). We also note that the Rhode Island Rules of Evidence regarding offers to compromise are not implicated here, as we are only considering the fact that the RISCS has provided the documents that are the subject of the Complaint.

> *of September 18, 2015, when the new document viewer was installed on the public monitors, signatures on all documents are visible on the public monitors at the Noel Judicial Complex.*'
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> *** [T]he narratives by various personnel are not consistent with [this] statement. In response to a question '*Can you tell me why this is happening*' [], except for speculation, no one gives a meaningful explanation. However, [the Assistant State Court Administrator] conveniently has the explanation for me, which is a 'different document viewer' needed to be installed. This happened on Sep[t.] 19, 2015, according to [the Assistant State Court Administrator]. The disclosed records indicate, on that same date, an entry was made by [a JTECH employee]. The entry only says 'updated PCs.' Because [the Assistant State Court Administrator] provided different and more information than can be read from the disclosed records, I allege the agency has failed to disclose all responsive records.
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> 7. The disclosed records are inconsistent with the agency's prior description of the process for retrieving records. I allege this is evidence responsive records are being wrongly withheld. The agency [RISCS] said my records request could only be fulfilled by creating a 'screen shot' or by creating a 'separate work order document[.]' [] None of the documents appear to look like a screen shot, nor is there any indication of a separate work order number under which the records were to be allegedly produced. *** There is an appearance the agency [RISCS] has not used the process it said it would. Therefore there is an appearance there are more records available, which have not been disclosed.
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> 8. There is evidence other records may exist. The disclosed records contained the statement '*This is an issue [a JTECH employee] is trying to fix*[.]' The related records have not been provided. My requests were not limited to help desk records. ***
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> 13. The agency's foot dragging and misrepresentations merits at least a finding of a willful, reckless, and knowing violation of the APRA. Evidence of these faults are outlined in the preceding paragraphs. The totality of the matter suggests harm which goes well beyond the APRA. Regarding the agency's continued and unsupported assertions of software type errors: I did not observe software errors. What I observed looked like alterations of official court documents. There cannot be two different versions of the same document. Until such time as conclusive documentation is obtained which shows otherwise, my observations and statements should be regarded as preliminary evidence of a criminally corrupted enterprise." (Alterations supplied by you).

At the outset, we observe that in examining whether an APRA violation has occurred, we are mindful that our mandate is not to substitute this Department's independent judgment concerning whether a violation has occurred, but instead, to interpret and enforce the APRA as the General Assembly has written this law and as the Rhode Island Supreme Court has interpreted its

provisions. Furthermore, our statutory mandate is limited to determining whether the RISCS violated the APRA. See R.I. Gen. Laws § 38-2-8. In other words, we do not write on a blank slate.

The APRA states that, unless exempt, all records maintained by any public body shall be public records and every person shall have the right to inspect and/or to copy such records. See R.I. Gen. Laws § 38-2-7. To effectuate this mandate, the APRA provides procedural requirements governing the time and means by which a request for records is to be processed. Upon receipt of a records request, a public body is obligated to respond in some capacity within ten (10) business days, either by producing responsive documents, denying the request with a reason(s), or extending the time period necessary to comply. See R.I. Gen. Laws §§ 38-2-7, 38-2-3(e).

In your supplemental rebuttal you contend that the produced documents are "incomplete" and that "[t]here is evidence other records may exist." We disagree. Your APRA requests both asked for the "trouble-ticket number and issue description, and any related information" for two computer-issue-related work orders, numbers 36731 and 38654. The RISCS's October 24, 2016 disclosure contained the two requested work order printouts as well as three photographs taken by the Kent County Superior Court Clerk.

You first allege that the reference to the fixing of the "display drivers" by the Assistant State Court Administrator in his response to your first APRA request is at odds with the information contained in work order 36731, which referred to "an upgrade of the FireFox software." This inconsistency, you maintain, indicates that there are responsive records that are being withheld. We find no evidence to support this contention nor do we find that the two descriptions are incompatible. A "display driver" provides an interface function between a microprocessor and a display device. Upgrading FireFox software could very well affect display drivers. The different terminology used by the Assistant State Court Administrator and the work order does not create any inference—and certainly provides no evidence—that additional documents are being withheld.

You next allege that the Assistant State Court Administrator's description of the technical fix concerning your second APRA request, wherein it is explained that a "different document viewer" needed to be installed, conflicts with an entry in work order 38654 describing the work done as "updated PCs." We see no contradiction. "[U]pdat[ing] PCs" may include installing a "different document viewer[.]" We find no evidence that this verbiage indicates that any documents are being withheld.

You next allege that "[n]one of the documents appear to look like a screen shot," which you contend suggests "an appearance the agency has not used the process it said it would." The manner in which the agency provided you the requested documents is, in our opinion, less relevant than whether the agency provided you access to the requested documents. On this point, you do not seem to argue that you have been provided access to the requested work orders and, respectfully, you cannot point to—and we cannot find—any evidence that the requested documents were not provided to you. Whether the requested documents were provided to you through screen shots or some other means, provides no evidence that additional documents exist that have not been provided.

Finally, you allege that the statement "This is an issue [a JTECH employee] is trying to fix" contained in work order 36731 indicates that "[t]he related records have not been provided." We find nothing in the quoted statement to support your position.

In sum, we do not find anything in the produced documents or your arguments to indicate that the RISCS continues to withhold any documents responsive to your request. We decline to find, as you request, governmental malfeasance without any evidentiary basis. See Road and Highway Builders, LLC v. United States, 702 F.3d 1365, 1368 (Fed. Cir. 2012) ("We . . . have long upheld the principle that government officials are presumed to discharge their duties in good faith . . . . it is well-established that a high burden must be carried to overcome this presumption[.]") (internal quotations omitted); see also Providence Journal Co. v. Rhode Island Dept. of Public Safety ex. rel. Kilmartin, 136 A.3d 1168, 1176 (R.I. 2016) ("[W]e remain mindful that there is a presumption of legitimacy accorded to the Government's official conduct *** and where the presumption is applicable, clear evidence is usually required to displace it.") (internal quotations omitted). Based on the evidence presented, we find no support for your assertion that responsive documents continue to be withheld. See Rogers v. Pawtucket School Department, PR 14-16. We note that your insistence that additional responsive documents exist in this case is analogous to an argument you advanced in a previous APRA complaint you filed, which we similarly found to be unsubstantiated by the evidence. See Nye v. Rhode Island Department of Public Safety, PR 16-46. Indeed, we find that the documents produced by the RISCS—the two work order printouts and three photographs—are fully responsive to your two APRA requests.

Since we have determined that you are now in possession of the requested documents, we need not determine whether the RISCS violated the APRA by initially withholding the requested documents—and thus seek injunctive relief as a remedy—but rather we need only determine whether your allegations represent a knowing and willful, or reckless, violation of the APRA that would subject the RISCS to civil penalties. See R.I. Gen. Laws § 38-2-8. This decision is consistent with our finding in Farinelli v. City of Pawtucket, PR 16-27, where our rationale is more fully explained.

On this narrow issue, after reviewing all the evidence presented, we find no evidence of a willful and knowing, or reckless, violation. We observe that the RISCS initially declined to release the documents, at least in part, out of concern for its impact on the thousands of work orders received by the Judicial Technology Department, as well as its position that the requested documents were exempt from public disclosure. While we need not examine these arguments for the reasons already described, see supra, it suffices that we find no basis for a willful and knowing, or reckless violation.[4] Additionally, our review finds no APRA violations by the RISCS in the last decade and this, while not conclusive, supports our conclusion.

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[4] Although you allege that the RISCS is a "criminally corrupted enterprise[,]" you provide no evidentiary basis for the claim other than, as you note, your own "observations and statements[.]" These accusations, by themselves, are insufficient to prove a finding of willful and knowing, or reckless, behavior. See MacDougall v. Department of Health and Office of Drinking Water Quality, PR 15-50B (defining legal standard for "willful and knowing" and "reckless" conduct

With respect to the alleged untimeliness of the State Court Administrator's response to your appeal, the APRA provides that "[t]he chief administrative officer shall make a final determination whether or not to allow public inspection within ten (10) business days after the submission of the review petition." R.I. Gen. Laws § 38-2-8(a). Here, as acknowledged by the RISCS, the evidence indicates that more than ten business days elapsed between your appeal and the State Court Administrator's response. Accordingly, we find that the RISCS violated the APRA in this respect. See R.I. Gen. Laws § 38-2-8(a).

Upon a finding that a complaint brought pursuant to the APRA is meritorious, the Attorney General may initiate suit in the Superior Court. R.I. Gen. Laws § 38-2-9(d). There are two remedies available in suits filed under the APRA: (1) the court may issue injunctive relief and declaratory relief and/or (2) the court may impose a civil fine of up to two thousand dollars ($2,000) against a public body or any of its members found to have committed a willful and knowing violation of the APRA, or a civil fine not to exceed one thousand dollars ($1,000) against a public body found to have recklessly violated the APRA. R.I. Gen. Laws §§ 38-2-8(b), 38-2-9(d).

In this case, we find that neither remedy is appropriate. Injunctive relief is inappropriate where, as here, the requested documents have already been provided. Nor do we find any evidence that the failure to timely respond to the APRA appeal was willful and knowing, or reckless. We emphasize that you failed to copy the RISCS's primary APRA contact on the email appealing the denial, and, with the State Court Administrator away, it appears that no one received your email.[5] Indeed, the State Court Administrator states in his affidavit that he was not aware of your email until November 16, 2015, and that he responded on November 25, 2015, within ten business days. For these reasons, we find no evidence of a willful and knowing, or reckless violation of the APRA. Nonetheless, this finding serves as notice to the RISCS that its omission violated the APRA and may serve as notice of a willful and knowing, or reckless, violation for any future similar cases.

Although the Attorney General will not file suit in this matter, nothing within the APRA prohibits an individual or entity from obtaining legal counsel for the purpose of instituting injunctive or declaratory relief in Superior Court. See R.I. Gen. Laws § 38-2-8(b). We are closing this file as of the date of this correspondence.

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under the APRA). Moreover, this finding is limited to the APRA issues presented, and in the context of this finding and the APRA, this Department has no jurisdiction to review non-APRA issues.

[5] Notably, in connection with your July 18, 2015 APRA Complaint, you did copy the RISCS's primary APRA contact when you appealed the RISCS's initial denial in July of 2015. In that instance, wherein the RISCS's primary APRA contact was notified, the State Court Administrator timely responded to your appeal.

We thank you for your interest in keeping government open and accountable to the public.

Very truly yours,

Sean Lyness
Special Assistant Attorney General

SL/kr

Cc: Erika Kruse-Weller, Esquire